

1 GENERAL GOVERNMENT CABINET

2 STATE BOARD OF EXAMINERS AND REGISTRATION OF LANDSCAPE ARCHITECTS

3 (Amendment)

4 201 KAR 10:050. Fees.

5 RELATES TO: KRS 323A.060, 323A.070, 323A.100(1)(4)

6 STATUTORY AUTHORITY: KRS 323A.060, [~~323A.070~~], 323A.100(1), 323A.210(2)(b)

7 NECESSITY, FUNCTION, AND CONFORMITY: The board is authorized by KRS 323A.060  
8 to promulgate administrative regulations to establish fees for services. This administrative  
9 regulation establishes fees for landscape architect licensees.

10 Section 1. Fees. The following nonrefundable fees shall be paid as applicable:

11 (1) Renewal fees:

12 (a) Active license: ~~[ ]~~ \$170.

13 (b) Inactive license: ~~[ ]~~ \$150. [~~twenty-five (25) dollars.~~]

14 (2) Duplicate certificate: twenty-five (25) dollars. [~~ten (10) dollars.~~]

15 (3) Issuance of original license certificate: \$200.

16 (4) Restoration of a suspended license: renewal fee established in subsection (1) of this section,  
17 plus an amount calculated pursuant to KRS 323A.100(1).

18 (5) Reactivation fee: \$170.

19 (6) [~~(5)~~] Issuance of a license on reciprocity basis: \$250.

20 (7) [~~(6)~~] Examination:

1 (a) Processing fee. A \$100 nonrefundable processing fee shall be submitted with a new  
2 application for examination.

3 (b) Examination sections:

4 1. Section C: \$295. [~~Section A: seventy-five (75) dollars;~~]

5 2. Section E: \$295. [~~Section B: \$110 dollars;~~]

6 [~~3. Section C: \$205;~~

7 4. ~~Section D: \$180;~~

8 5. ~~Section E: \$205.]~~

**PUBLIC HEARING and WRITTEN COMMENTS:** A public hearing on this administrative regulation shall be held on February 24, 2009 at 9:00 a.m. at the Board's office, Spindletop Administration Building, Suite 106, 2624 Research Park Drive, Lexington, Kentucky 40511. Individuals interested in attending this hearing shall notify this agency in writing by February 17, 2009, five workdays prior to this hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled.

This hearing is open to the public. Any person will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made.

If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 4:30 pm on March 2, 2009.

Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to: Jane Gardner, Executive Director, Board of Examiners and Registration of Landscape Architects, Spindletop Administrative Building, Suite 106, 2624 Research Park Drive, Lexington, Kentucky, 40511; Telephone No. (859) 246-2753; Facsimile No. (859) 246-2754.

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 10:050. Fees

Contact person: Jane Gardner

(1) Provide a brief summary of:

- (a) What this administrative regulation does: This administrative regulation sets fees.
- (b) The necessity of this administrative regulation: This regulation is necessary to apprise interested individuals of the fees charged by the board.
- (c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity with KRS 323A.060 that requires the Board to promulgate administrative regulations to establish fees.
- (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation appries interested individuals of the fees charged by the board.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

- (a) How the amendment will change this existing administrative regulation:  
This regulation establishes a fee for reactivation and increases fees for inactive licenses, duplicate certificates, and Sections C and E of the national examination.
- (b) The necessity of the amendment to this administrative regulation: Costs for Inactive registrants, Reactivations and Examinations have increased and the Board is currently subsidizing these costs with other revenue sources.
- (c) How the amendment conforms to the content of the authorizing statutes: The statute allows the Board to establish fees.
- (d) How the amendment will assist in the effective administration of the statutes: The increased fees will pay for the costs of the administration of these services.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board anticipates this regulation will affect approximately 65 individuals, while affecting no businesses, organizations, state or local governments.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change if it is an amendment, including:

- (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The individuals affected will pay a higher fee.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The increased fees are outlined in the amendment.
- (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The individuals affected will continue to be served in an efficient manner by the Board and staff.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

- (a) Initially: No new costs will be incurred by the change.

(b) On a continuing basis: No new costs will be incurred by the change.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: As this regulation establishes fees, no additional funding is required for implementation of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: The amendments themselves increase some of the fees paid by licensees.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does establish fees and increases some fees.

(9) TIERING: Is tiering applied? (Explain why tiering was or was not used)  
Tiering was not applied as the regulation is applicable to all.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 201 KAR 10:050

Contact Person: Jane Gardner

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes ☒ No ☐

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This administrative regulation would impact examinees and landscape architects licensed by the Kentucky Board of Examiners and Registration of Landscape Architects.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 323A.060 authorizes the action taken by this administrative regulation.

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. This amendment will not effect the expenditures of the agency, but could increase the revenues by \$5,000 annually.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? \$5,000.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? \$5,000.

(c) How much will it cost to administer this program for the first year? None.

(d) How much will it cost to administer this program for subsequent years? None

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: